Reserve

G. R. S. IX-5]

Previous references.

1918/19
(Genl)

File No. 95/18

Serial Nos. 8, 10, 11 & 16

Later references.

(IX)

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 8, 10, 11 & 16

Part B for April 20.

SUBJECT.

Noting the Conduct of certain officers in dealt with in a negligent manner the Case of acquisition of lands for the Tuberculosis Hospital, Mysore.

1b. To The Rev. Commr., Director of Genl. & Regr. Chief Court.

No. 23620-2 dt. 14-4-20

Conveying the displeasure of Govt to the officers Concerned in the above question.

WD 2223—GPB—20,000—14-6-20

Reserve

(For Disposal at a Meeting)

No. C. 410

.....19.20

GENERAL AND REVENUE SECRETARIAT.

Council Matter.

SUBJECT.

(Clause v of the schedule)

Notice to be taken of the conduct of the officers concerned in regard to the irregularities noticed in connection with the acquisition of lands for the Tuberculosis Hospital at Mysore.

CIRCULATED TO THE MEMBERS OF COUNCIL.

By Order,

C S Balasundaram Ayyangar

..... 2nd ..... February ..... 19..20. *Chief Secretary to Government.*

Extraordinary Member of Council.

First Member of Council. Seen.

3878 3.2.20 **Second Member of Council.** Seen by the Member - 4/2/20

3015 7/2/20 **Third Member of Council.** 7/2

1861

G. R. S. III-2)

General and Revenue Secretariat.

Govt File No. 75 of 191

Serial No. 8

From the Revenue Commissioner in Mysore

No C 450 dt 22-8-19

Forwards the explanations of Messrs Royale Chetty, L. S. Rego, who were at the time in charge of Mysore Sub Division & Mysore Taluk respectively, in regard to certain irregularities noticed in Govt order of 8-5-19 in connection with the acquisition of lands required for the Tuberculosis Hospital at Mysore & states that the explanations are not altogether satisfactory but the officers appear to have made mistakes partly on account of the great haste with which the proceedings had to be conducted & suggests certain conditions that may be imposed in granting mining licenses in future -

Submitted for orders.

AUS
26-8-19

The omissions in the acquisition proceedings were:

(1) that no mention was made in the declaration statement of the existence of prospecting rights over the block.

(2) that in handing over the land to the Taluk Board notice was not given duly nor the place inspected by the Officer acquiring.

In regard to the second point explⁿ has been received. In regard to the

NOTE—Contn. sheet.

G. R. S. III-2j

General and Revenue Secretariat. | File No. 4 of 191

Serial No.

1 First part Mr Rajagopalachariar whose explanation has been received says that the prospecting license was to end in a short while after that and that there was no necessity for indicating its existence in the declaration. 8th, and — that moreover he was not a minister Mysore at the time —

4 It seems from a 8th pur. that Mr Gopala Rao was minister at the time. His explt on the point may be called for & appr before orders issue on the explanations received

Qus 12/9

Chdy — 5 y/p.

CBS 24/9

Br d/ Qus 24/9

6 Submitted with a draft.

AHS 27-9-19 — 7 Issue Qus 28/

NOTE—Contn. sheet.

11340
2852

3

G. R. S. III-2)

General and Revenue Secretariat.

G. O. File No. 85 of 191

Serial No.	
10	To the Collr. of [illegible] in G.O. No. [illegible] dated the [illegible] of the Amildars [illegible] of [illegible] Taluk [illegible]

From the Asst. Collr. Ongole
C. No 4509 dt. 2-12-19.
Forwards his explanation of Mr.
V. Gopala Rao [illegible] regard to certain omissions with-
in case within [illegible] the requisition, [illegible] copies
for the Tuberculosis Hospital Ongole.

8 Submitted with reference to paragraphs 4 & 5 ab.
AAS.
6-1-20

9 Of the two Amildars (Mr. L.S. Rego and Mr. V. Gopala Rao) whose explanations were called for in respect of the irregularity, the former may be left out of consideration as he was not in charge of the Taluk when the Declaration Statement in respect of the land was prepared. The latter admits that he was the officer responsible for getting the Declaration Statement prepared but pleads that no blame attaches to him as he had no possible means of knowing that the land was covered

NOTE—Contn. sheet.

G. R. S. III-2j

General and Revenue Secretariat. File No. of 191

Serial No.	
	by a Prospecting License in the absence of particulars regarding Survey Numbers in such a License And as the Village Khetwar which is the only other source of information contains no entries in respect of such land as prospecting involves no transfer of existing rights or occupancy. There appears to be considerable force in this contention. The best means of preventing the recurrence of such an irregularity would undoubtedly be by framing special rules to ensure that, when any Prospecting License or Mining Lease is granted, definite information regarding Survey Numbers included in the block with site plan is furnished to the Revenue Department. It is understood that action is being taken on this point.
All this has been realised & considered & already acted	10 The other officer whose explanation was called for is Mr. T. Royalu Chetty, who happened to be the Sub Division Officer at the time the land was handed over to the Palace authorities and has since retired from service. He states in his Explanation that, as the matter was emergent and he was out of head quarters at the time, he considered it expedient to ask the Amildar himself to issue notices to the parties and arrange to hand over the land to the Palace authorities; and that the work of Jamabandi and auction sales engaged his attention at the time and his impendi

NOTE—Contn. sheet.

11340
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5

G. R. S. III-2)

General and Revenue Secretariat. | File No. | of 191

Serial No.

transfer precluded his personal inspection of the land before it was handed over to the Palace authorities. The Revenue Commissioner very rightly characterises this explanation as not altogether satisfactory but pleads in extenuation that the mistakes must have been made partly on account of the great haste with which the proceedings had to be conducted.

19 Yes. it is a plea only to a certain extent satisfactory explanation. Jeffs.

11 What notice, if any, has to be taken of the conduct of the officers responsible for the irregularity in question is a matter for orders.

12 Another point for orders is — how far is it feasible to adopt the suggestion put forward by the Revenue Commissioner about attaching a condition in every Prospecting License that lands in respect of which such license has been issued should be given up without compensation if required for public purposes? It may be urged in this connection that it is likely to work as a hardship if a License holder is asked to give up his rights without adequate compensation for all the investment he might have made in respect of the lease.

Chief Secy.) 16/1/20

13 So far as the Rev Dept was responsible for the muddle, it seems to me that Gopala Rao (then amildar) was respons-ble

NOTE—Contn. sheet.

G. R. S. III-2)

General and Revenue Secretariat. | File No. of 191

Serial No.

for the omission to bring to notice the existence of prospecting right on the land. His explanation is quite ~~unacceptable~~ unacceptable & the quibbling in which he indulges does not certainly improve his case. He admits that he was responsible for preparing the Statement of declaration under the A. & Regn. If he had only taken the trouble to visit the locality he could ~~cannot~~ possibly have overlooked the fact that mineral exploitation was going on in the area & he could have easily ascertained from the workmen there as to who was responsible & so on. A copy of the prospecting license issued with an extract from the topo map was ~~in the~~ filed in the taluk office & even though Survey numbers were not given any typo could have ~~roughly~~ seen what area was roughly included in the license & he would have been clear that the site of the hospital was ~~to~~ included.

14 No amount of elaborate precaution will prevent mistakes if responsible

first to.
" fully agree
in the views
expressed here
& has been
responsible
also in any

NOTE—Contn. sheet.

G. R. S. III-2]

General and Revenue Secretariat. | File No. of 191 .

Serial No.

officers do not bring to bear on the discharge of their duties a certain amount of ordinary commonsense.

21 Quite right Bell

15 Similar negligence must be attributed to Mr Rajalu chetty & to Mr Rego, who were responsible for actually taking possession of the land. Mr Rajalu chetty issues orders from 'Camp Yedatore', Mr Rego issues orders from his office to the Shekdar & the Shekdar takes muchalika. It occurs to none of them to bring to notice the fact that some persons are digging on the land & taking away minerals, & no one is put on enquiry.

22 I agree Bell

16 In his explanation Mr Gopala Rao says that prior to the preparation of the statement, "a Palace D.P.W officer took the Shekdar, noted the numbers required .... & wrote to the D.C for the acquisition of these lands". If this is correct this officer must also be credited with having gone about his work with his eyes shut, to the same extent as & perhaps more than the Revenue authorities.

23 I do not think this exonerates the Rev. Com. from knowing what is going on

Bell

17 It seems to me that Mr Rajalu chetty, Mr Gopaladas & Mr Rego are

NOTE—Contn. sheet.

11360

8

G. R S. III-2]

General and Revenue Secretariat.

File No. 95 of 1918-19

Serial No.

1,732.24.0
24-1-20

quite liable to severe censure

~~Revenue~~
1st Member
Thro' Revenue

CSY
21/1/20

hm
22-1-20

24
2. The three officers concerned, one Mr. Rangachelliar has since retired from service but the other two - viz. Messrs P. Gopal Rao & Rego are still yet. The former as Spl. Asst. & the latter as Asstt. Their Explanations (Mr. Rangachelliar's too) are a mass of prevaricating & belated excuses & lame & irresponsible in them, in my opinion. They require the censures I think. if the Dewan approves. The matter may either be discussed in Council or disposed of by circulation.

Rell
26.1.20

Dewan

25
May be circulated for consideration in Council

CSY
27.1.20

CS ~~Dewan~~ Circulate

CSY
29/1/20

DEWAN'S OFFICE.
Recd. on JAN 27 1920
Reg. No. 5071

CS
29/1/20

NOTE—Contn. sheet.

WD 1233—GPB—60,000—1-12-16—S.

G. R. S. III-2]

General and Revenue Secretariat.	File No.

Serial No.

To

for kindly

of Counc

Submitted

H.R.S.
14-2-20 by

(1st Member)

2cs
17/2/20

A typed copy of the D. F.N. as revised may be put up. It contains important matter & may therefore be submitted first thro the Ch. Secy.

Rec'd
18.2.20

Submitted with a typed copy of the D.F.N.

Chief Secy)

2cs
21/2/20.

1st member.

C.B.S.
26/2/20

D. F. N. Sd/

Dewan)

C.B.S.
27/2/20

DEWAN'S OFFICE,
Recd. on FEB 27 1920
Reg. No. 5949

NOTE—Contn. sheet.

C. 410

Extract from the Proceedings of the 519th *Meeting of the Council of His Highness the Maharaja, held at Bangalore on the* 12th February 1920. ~~xxxx~~.

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11. Subject. - Clause v of the schedule.

Notice to be taken of the conduct of the officers concerned, in regard to the irregularities noticed in connection with the acquisition of lands for the Tuberculosis Hospital at Mysore.

Opinion of the Council.

The displeasure of Government may be communicated to Mr. Gopala Rao and Mr. Rego for the negligent manner in which they dealt with this case. Since Mr. Angalu Chetty has retired from service no notice is called for about his part in the case.

(Signed) M. Kantaraj Urs,
Dewan of Mysore.

"EXTRACT'

C R Balasundaram
Chief Secretary to Government.

WD 1148—GPB—1,000—28-12-18

Final Note by the First Member of Council.

34

Subject:—

Notice to be taken of the conduct of the officers concerned, in regard to the irregularities noticed in connection with the acquisition of lands for the Tuberculosis Hospital, Mysore.

The circumstances which led to the acquisition and the handing over, for the purpose of constructing the Tuberculosis Hospital at Mysore City, of certain lands in respect of which there was a Prospecting License in force at the time, were fully brought to His Highness's gracious notice in the Officiating Dewan's sub-

A *mission Note dated 19th April 1919, and these papers relate to the further action taken in the matter of calling for the explanation of the officers concerned for the irregularities and omissions described in the said Note and of taking suitable notice of their conduct.*

2. The officers of the Revenue Department who were mainly responsible for the muddle were Messrs. V. Gopala Rao and L.S.Rego, who were Amildars of the Mysore Taluk at the time, and Mr. T.Rayah Chetty, who was sub Division Officer at the time, but has since been retired from the service.

3. Of these, Mr. Gopala Rao was responsible for the omission to bring to notice the existence of prospecting rights over the

B *land in the initial stage. He states in his explanation:-*

1) that the Prospecting License does not specify Survey Numbers over which it extends nor is any line of demarcation drawn on the land to indicate them; and that, as prospecting involves no transfer of existing rights or occupancy, no entry is made in the khetwar Register and therefore it is not possible to find

out that any particular land proposed to be acquired is subject to prospecting rights.

ii) that the Declaration Statement in respect of the acquisition of the land is not meant to show the existing rights or encumbrances over the land as may be judged by the absence of any column in the statement to show the existence of such rights;

iii) that it is only when proceedings under Section 9 of the Land Acquisition Regulation are taken that the question of rights and interests existing over the land comes in; and

iv) that therefore he has not committed any wilful or avoidable omission.

4. The above explanation offered by Mr. Gopala Rao is quite unacceptable and the quibbling, in which he indulges, does not certainly improve his case. He admits that he was responsible for preparing the statement of declaration under the Land Acquisition Regulation. If he had only taken the trouble to visit the locality, he could not possibly have overlooked the fact that mineral exploitation was going on in the area and he could have easily ascertained from the workmen there as to who was responsible and so on. A copy of the prospecting license issued with an extract from the topo map was filed in the taluk office and even though survey numbers were not given, it was possible to trace out what area was roughly included in the license, when it would have been clear that the site of the hospital was so included. This was the initial stage in the acquisition proceedings and if the probability of complications had been brought to notice, it would have been easy to select another suitable site. In an important case of land acquisition of this nature it must be expected that the Amildar as a responsible officer should at least inspect the land when starting the proceedings.

5. No amount of elaborate precautions will prevent mistakes if responsible officers do not bring to bear on the discharge of

their duties a certain amount of ordinary common-sense.

6. Similar negligence must be attributed to Mr. Royalu Chetty and to Mr. Rego, who were responsible for actually taking posses sion of the land. Mr. Royalu Chetty issued orders from 'Camp, Yedatore', Mr. Rego issued orders from his office to the Shekdar and the Shekdar took Mutchalikas from the ryots concerned. It occurred to none of them to bring to notice the fact that some persons were digging on the land and taking away minerals and no one was put on enquiry.

7. Mr. Royalu Chetty's explanation is to the effect:-

i) that as the matter was pressed as emergent, he asked the Amildar himself to issue notices to the parties and arrange to hand over the lands to the Palace authorities.

ii) that before the Amildar's report of the action taken by him was received he was relieved on transfer and had no opportunity of becoming aware of the irregularity; and

iii) that the work of Jamabandi and auction sales engaged his attention very much and the impending relief and transfer precluded his personal inspection of the lands. While the explanation of Mr. Rego is to the effect:-

i) that he was not the Amildar of Mysore Taluk when the Declaration statements were prepared.

ii) that in the absence of details about survey numbers it is difficult to find out what lands are included in the Prospecting License; and

iii) that when he was asked to stop the Licensee from digging in the land he took prompt action in issuing a notice to the Licensee.

8. The explanation of neither of these two officers is satisfactory.

9. When the file came up before Mr. P. Raghavendra Rao, then 1st Member, he recorded the opinion that the explanations offered by the officers concerned betrayed an utter want of the sense of responsibility in them and that they deserved to be censured by Government.

10. The matter was considered in Council and it was resolved that the displeasure of Government might be communicated to Mr. Gopala Rao and Mr. Rego for the negligent manner in which they dealt with this case and that since Mr. Royalu Chetty had retired from service, no notice was called for about his part in the case.

11. The resolution of the Council may be graciously approved.

12. Action has already been taken separately on the question of framing special Rules to ensure that, when any Prospecting Licenses or Mining Leases are granted, definite information in regard to Survey Numbers included in the block with site Plan is furnished to the Revenue Department.

Bangalore.
27th February 1920.

MEMBER OF COUNCIL.
27.2.20

Submitted to His Highness.

I submit herewith a Final Note by the...First...

Member of Council on the ...~~of~~...Notice...to. be taken

of...the...conduct...of...the...officers...concerned,...in...regard to the

irregularities...noticed...in...connection...with...the...acquisition of lands for the Tuberculosis Hospital, Mysore,
for His Highness' gracious approval.

4th March 1920

Dewan.

Record of Cases submitted for the Orders of His Highness the Maharaja

36

Subject.

Proposal to convey the displeasure of Government to Mr. Gopala Rao and Mr. Rego for the negligent manner in which they dealt with the case of acquisition of lands for the Tuberculosis Hospital at Mysore.

Order.

no 925

~~K.R.W.~~
5/3/20

37 Ch-Leg
C.3.20

G. R. S. III-2]

General and Revenue Secretariat.

3.410 11340 (1)

Geel File No.

Serial No.

31. All urgent or confidential files returned with His Highness' orders may, in the absence of instructions or indications to the contrary, be ordinarily circulated to the Members of Council for perusal after the issue of orders.

33. The Secretaries concerned should see that orders in the cases referred to above are issued at once and that the files are returned immediately after to the Chief Secretary for circulation to the Members.

34. In all other cases, the files will first be circulated to the Members of Council at headquarters and then sent to the Secretariat concerned for the issue of orders.

38 Circulated to the Members of Council for perusal of His Highness' orders ~~before~~ after issue of orders. (*Vide* Rules 31, 33 and 34 of the Subsidiary Rules for the conduct of business of Council in the Manual of Council Rules and Procedure.)

C S Balasundaram 8/3
Chief Secretary to Govt.

Through the Secretary to Government,

.....Department.

405 8/3/20

39 FIRST MEMBER OF COUNCIL 9/3

5780-164 9.3.1920

40 SECOND MEMBER OF COUNCIL 10.3.20

4823 10.3.20

41 THIRD MEMBER OF COUNCIL. 11/3

NOTE—Contn. sheet.

42 Received from the Council on today. Do the necessary draft order. 15/3/20.

W. Apps 10.3.20

11340
3868

18

G. R S. III-2]

General and Revenue Secretariat.

File No. 95 of 1918-19

DEWAN'S OFFICE.
Recd. on APR 8 1920
Reg. No. 6919

Serial No.	
	43 Submitted with a draft G.O AHS 16-3-20. Please put up a clean draft as revised. 44 Submitted with a clean draft 17/3/20. AHS 17-3-20. For approval Chief Secy) 17/3/20 46/8th member Dewan 4 Draft revised 4 6/4 5/4/20 122 5/4/20
	48 Issue Cell 9.4.20
16	To The Revenue Commissioner in Mysore Director dept. of Geology " Registrar - Chief Court G. 2362 0-2 dt 14.4.20 - Communicates the decision of Govt. in the matter of certain irregularities due to the negligent manner in which Mr Gopal Rao and Mr Rego conducted the acquisition proceedings of the lands required for the tuberculosis Hospital Mysore

FILED
Secretariat
8 APR 1920

NOTE—Contn. sheet.

16-12-16

Office of D.C. no 457 to Mr. Sundaramurti over 1 sq mile in Mysore Tk. 3 copies of license sent to him by Court of Mysore.

12-1-17

A copy of license & of plan sent by us D.C. to the Taluk office.

13-9-17

15-9-17

26-9-17

13-10-17

8-12-17.

Application for a mining lease.

15-12-17
31-12-17
2-1-18

8-1-18

12-1-18. ~~12-1-18~~

Permission given by the Geological dept to Mr. Sundaramurti to continue work pending the disposal of application for mining lease & the information furnished to Govt.
The above information sent to the Taluk office.

24-1-18.

22-1-18

25-1-18

26-1-18
30-1-18

28-1-18

31-1-18.
5-2-18.
7-2-18.
8-2-18

15-2-18

11-2-18

Deputy committing Mr. R. Matthan 1-6-16 to 11-4-18

Sub Divisin officer Mr. C.S. Kuppuswamy Iyengar 2-1-15 to 11-8-17

Mr. T. Rajaloo chetty 26-8-17 to 12-2-18.

Mr. D. Srinivasadyengar 13-2-18

Amildar Mr. V. Gopala Rao. 15-2-17 to 19-12-17

Mr. L.S. Rego. 21-1-18 to 19-12-18

Mr. R. Thammaji Rao. 20-12-18 - 9-8-19

Application from the Palace Comptroller for the requisition of lands for the Hospital.

Draft declaration Statement called for from the Taluk.

Submission of draft declaration Statement from the Taluk (which did not indicate any thing about the prospecting license).

Draft declaration Statement sent to the Revenue Commissioner obtaining the counter signature of the Palace Comptroller.

certain information called for by the Revenue Commissioner.
The Palace Executive Engineer complained to the Amildar about the prospecting work done by the licensee
Reply to the Rev Comrs queries.

Rev Comrs report to Govt.

Notification issued by Govt re the requisition of lands.

Receipt of papers re-acquisition from the Rev Commissioner

D.O letter } from the Deputy Commissioner to
Official letter } the Asst Comr Uttarore Taluk
to take steps for the acquisition
of lands & for taking possession
according to rules after issuing notices.

Report of the Shekdar regarding the entitlement of prospecting work in spite of widening the workmen.

Publication of Notification in the Gazette

Orders issued to Taluk office on 5-2-18 take possession of lands.

The Taluk office reported to the Sub Divisin officer about the lands having been included in a prospecting block (no correspondence).

The lands were taken possession of and handed over to the Palace. (S.D.O. not having got the lands marked out on the ground as required by Section 8 of L.A. Regulation & issued notice calling upon all persons claiming interest in the lands to lay their claims before him) (The Taluk office failed to point out that the lands were included in a prospecting block).

Receipt of Taluk office report by 8-2-18 in the Sub Divisin Office.

Orders issued to Shekdar on 7-2-18 to take possession of lands.

The Tk office reported to the S.D.O. regarding the complaint made by the Palace Executive Engineer about the prospecting work done by the licensee. The Palace Executive Engineer complained to the Shekdar on 31-12-17. The Shekdar reported on 28-1-18.

While the Taluk report of 8-2-18 was pending in Sub Divisin office, the process of taking possession & handing over of lands to the Palace was given effect to between 9-2-18 to 15-2-18.

21-2-18

6-2-18 — Submission of the application for mining to Govt for sanction.

14-3-18.

17-3-18.

22-3-18. — Sanction of Govt to the grant of a mining lease. (Information to Director).

23-3-18 — Director communicated the sanction of mining lease to Mr. Sundaramurti.

2-4-18

4-4-18 — Mr. Sundaramurti submitted copies of deputy commissioner's letter of 17-3-18 and of his reply thereto to the Director of Geology

6-4-18

13-4-18.

13-4-18.

16-4-18.

17-4-18

10-6-18 — Mr. Manickavelu Mudaliar claimed compensation, 2 lakhs rupees, Hullenballi Block Rs 18000/- in lieu of allowance at Rs 1500 p.m. claim for compensation limited to Hullenballi block. Note submitted by Director to Govt [redacted] Mudaliar's claims. Correspondence between Mudaliar & Director

15-6-18.

23-6-18

Deputy comr. Mr. A. Matthew. 1-7-16 to 11-11-18

Sub Asst. Mr C.S. Kuppu Swamy Iyengar. 2-7-15 to 11-8-17
Mr. T. Rajagopalachetty. 26-8-17 to 12-2-18.
Mr. D. Srinivasa Iyengar. 13-2-18. ——

Asst. Mr. V. Gopala Rao. 15-2-17 to 19-12-18
Mr. L. S. Rego 21-1-18 to 19-12-18
Mr R. Thammaji Rao. 20-12-18 to 9-8-19

The Taluk office report of 8-2-18 re the complaint of the Palace Executive Engineer about the proposed mining work carried on was submitted by the S.D.O. to the D.C. requesting for orders. The Taluk office report was pending in S.D.O. from 11-2-18 to 14-3-18.

Communication from the Dy Comr to Mr. Sundaramurti stating that certain lands comprised in mining block had been declared to be required for acquisition for Tuberculosis Hospital & that same had been taken possession & handed over to Palace comptroller & that further work should be stopped.

Reply to Dy Comr's letter of 17-3-18 from Mr. Sundaramurti expressing his mining rights & stating that he would have to claim damages if obstruction continues. and also forwarding a copy of Director's letter of 23-3-18 communicating Govt sanction of Govt.

The Deputy Commissioner's communication to the Director of Geology about the matter pointing out that any claim for compensation must be made to the Acquisition office & requesting that the acquired area may be excluded from the Mining Block.

The Director of Geology enquired the Dy Comr whether another site could not be chosen for the Hospital.

Reply from the Director to D.C.'s letter of 6-4-18 stating that the matter would be referred to Govt either bearing whether the Hospital site could be changed.

The Mysore Secretary intimated the D.C. that the site could not be changed as the foundation stone had been laid & construction work begun.

The Mysore Secretary's letter was communicated to the Director.

Deputy Commissioner's letter to the Member of Council

R. C. 4.

3868 21

...ARY NO.....

19 -19 5680

From

The *Revenue Commissioner in Mysore.*

To Chief

The Secretary to the Government of
H. H. the Maharaja of Mysore,
~~*Department.*~~

Dated 20th August 1919.

Despatched

Received

General No.

Enclosure No

SUBJECT.

Re the claims of Mr. Manik-velu Mudaliar for compensation for a part of his mining block in the Mysore Talu- acquired by Govern-ment for constructing a Tuber-culosis Hospital.

...RETARIAT.
CHIEF IV
23AUG1919

Gul 95-18-8

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE.

No. *Bangalore,* 20th August 1919

FROM

K. Chandy, Esq., B.A.,
Revenue Commissioner in Mysore.

To

The Chief
Secretary to the Government of
His Highness the Maharaja of Mysore,
~~Department~~

SIR,

Adverting to Government Order No.C.25364-5/Geol. dated 8th May 1919 passing orders in the matter of the claims of Mr. Kalivela Mudaliar for compensation for a part of his mining block in the Mysore Taluk acquired by Government for constructing a Tuberculosis Hospital and calling for the explanations of the Revenue Officers responsible for certain irregularities committed by them in the course of acquisition proceedings, I have the honour to forward herewith in original the explanations of Mr. Royalu Chetty the then Sub Division Officer of Mysore, (who has now been retired) and of Mr. L.S. Rego who was then in charge of the Mysore Taluk, and to state that their explanations are not altogether satisfactory. The Officers, however appear to have made mistakes partly on account of the great haste with which the proceedings had to be conducted.

2. In this connection I beg leave to invite attention to this office letter No.C.524/Gl. 18-19 dated 28th December 1918 regarding the procedure to be adopted with a view to keep the Revenue Department informed of the areas granted for prospecting and mining operations and beg to suggest that a condition should also

also be attached that lands in respect of which a prospecting license has been issued should be given up without compensation if required for public purposes during the term of the license, and before renewing the prospecting license or granting a mining lease, the Geological Department should ascertain from the Revenue Department whether any portion of the area covered by the license is required for public purposes. It is necessary also that such licensees should clearly specify the survey numbers involved, and should be accompanied with a sketch exhibiting the area. In short, I am strongly of opinion that speculating industrialists should not, on any future occasion, have the chance of holding up the construction of a building of public utility like the Tuberculosis Hospital on the ground of their rights under a prospecting license.

3. Two files of vernacular records received are forwarded herewith for reference and kind return.

I have the honour to be,

S i r,

Your most obedient servant,

Revenue Commissioner.

R.R.

Office of the Excise Commissioner
in Mysore,
Dated, Bangalore, 27th June 1919.

From

Mr. T. Royaloo Chetty,
Assistant Commissioner
a n d
Assistant to the Excise Commissioner in Mysore,
B a n g a l o r e.

To

P. F. Bowring, Esq.;
Deputy Commissioner,
M y s o r e.
(Thro' The Excise Commissioner in Mysore).

S i r,

With reference to your letter No. 5257/17-18 Rev: dated 8/10th June 1919, and of the correspondence thereon together with the file of papers connected with the acquisition case referred to, and requiring my explanation thereon, I have the honour to state that as the matter was pressed as emergent, and I was then camping at Yedatore, and with a view moreover to save the time that would lapse in the usual course of obtaining from the Amildar particulars in respect of parties and thereafter prepare notices, and cause the same to be served upon the parties through the Amildar, I considered it necessary and expedient to ask the Amildar himself to issue notices to the parties and after obtaining their acquiescence in the lands being taken over immediately, arrange to hand over the lands to the Palace authorities.

I did not anticipate a failure on the part of the Amildar to issue formal notices to the parties with stipulated interval of time, and before the Amildar's report of the action taken by him was received, I was relieved on transfer and consequently had no opportunity of becoming aware of the irregularity.

I beg to add that the work of the Jamabandi of Yedatore and Heggadadevankote Taluks and the auction sale of some Villages in

in the Hunsur Taluk for arrears of revenue due etc., engaged my attention very much and the impending relief and transfer precluded my personal inspection of the lands forthwith.

I have the honour to be,

Sir,

Your most obedient servant,

27.6.19

Assistant to the Excise Commissioner in Mysore.

J.C.H.

Forwarded with Compliments

27-6-19

Proceedings of the Government of His Highness the Maharaja of

M y s o r e.

R e a d:-

Letter No.D.O.C.3 dated 23rd June from Mr. Jayaram, Of Director, Department of Geology forwarding a note on the claim for compensation put forward by Mr. V.Manikavelu Mudaliar on behalf of his son Mr. V.Sundaramurthi Mudaliar, for part of the block of land in Mysore taluk included in the mining lease sanctioned to him in letter No.G.12944/Geol.17-17-21 dated 23rd March 1918, from the Chief Secretary to Government, to the Director Department of Geology, which has also been acquired by Government for the purpose of constructing a Tuberculosis Hospital near Mysore City.

2. Letter dated 23rd June 1918 from the Deput Commissioner Mysore District, forwarding a note on the procedure adopted in the acquisition of this land included in the mining lease.

3. Further correspondence ending with letter No.1304 dated 18th November 1918 from the Offg. Director Department of Geology on the same subject.

O r d e r - No.G.25364-5/Geol.

Dated Bangalore the 8th May 1919.

On the 16th December 1916, a prospecting license No.451 was issued by the Geological Department to Mr. V.Sundaramurthi Mudaliar, son of Mr. V.Manikavelu Mudaliar, over a block of one square mile of land in the villages of Bebbal, Metgalli and Narasimharajapalli, Mysore taluk. Within the period of one year for which the license was granted, that is, on 8th December 1917 the licensee selected, for mining purposes, an extent of 40 acres out of the one square mile covered by his license and applied for a mining lease over the area. To this he was entitled under the rules. Pending the grant of the lease he continued work on the block, with the permission of the

the Geological Department, and the Mining lease over the 40 acres of land comprising portions of survey numbers 160, 170, 124, 126, 127, 110 and 111 and survey numbers 118, 119, 121 and 125 was eventually granted on 21st March 1918. Some months previous to this however, that is, on 15th September 1917, the Palace Controller had applied to the Revenue Department for the acquisition of certain survey numbers, including some of the above in Sarpenahalli village, for locating the Tuberculosis Hospital, but in the correspondence connected with the grant of the lease above mentioned, there was no information as regards the selection of the site for the Tuberculosis Hospital. The acquisition was sanctioned by Government on the 22nd January 1918 and the lands were actually taken possession of by the Palace authorities on the 15th February 1918 through the Revenue Department. Thus, while the prospecting license continued and the lessee was actually working on some of the lands comprised in the acquisition case, two independent official orders were issued, practically at the same time, one giving the mineral rights in the land to Mr. V.Sundaramurti Mudaliar and the other notifying the acquisition of the land for the Tuberculosis hospital. The lessee continued mining operations on the block and the Palace authorities continued the construction of the buildings on the site until the matter came to the notice of the Government in June 1918 when Mr. Manickavelu Mudaliar claimed to be compensated for the acquisition of a portion of the block granted to him under the mining lease.

Government have had this question of compensation under consideration for some time and (1) on a full review of all the circumstances of the case and (2) after hearing the representations Mr. Manickavelu Mudaliar desired to make in person, they are pleased to order the grant to him for the following concession as fair and equitable compensation for his giving up all rights under the lease granted to him under his son's name over the kn block:-

1. Grant of a mining lease over a new block adjoining the applicant's Bhaktharahalli block, over one square mile, but not, in the direction of the Hullenahalli side.

Proceedings of the Government of His Highness the Maharaja of

M y s o r e.

(c o n d:-

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3. Renewal of prospector's license K.416, subject to any new rules that Government may pass about the grant of mining lease or the grant on a mining lease over this block under the existing rules under which the maximum area is one square mile.

4. Payment of out of pocket expenses in respect of the [illegible] for the purpose of this settlement, at a [illegible] -.

5. [illegible] agreed to this settlement and the Director of Mines and Geology, is directed to take necessary action in the matter accordingly in regard to items 1 and 2, and the Deputy Commissioner, [illegible] District, to [illegible] to item 3.

6. In this connection, Government consider it necessary to examine how the Departments of Government, the Geological and the Revenue, took actions which created conflicting rights in respect of the same land. The Geological Department did their part on the 1st, both when the prospecting license issued in 1916 and when permission was given to the licensee to work in anticipation of the lease being granted, by correspondence which was happening in the Department to the Secretariat for information. In preparing draft declaration subsequently, however, the Surveyor apparently took no trouble to see what the settlement included land in respect of which [illegible] license had been issued in 1916 and which in January, 1931 he knew of the intention to give out a mineral lease. The draft declaration was approved and [illegible] The error was not corrected then and even when the [illegible] was subsequently [illegible] formally taken possession of, the Sub Division Officer did not see the [illegible] and [illegible] out on the ground, as required by law, and issue a notice under section 9 calling upon all persons claiming interest in the land to [illegible] their claims before him. [illegible] was, therefore, followed in this possession of the land and the difference in that no responsible officer went on the spot to verify what land was really taken possession of. The [illegible] delivery was given by the Revenue Department through mere correspondence, for, [illegible] anybody

anybody gone to the spot and marked out the land on the ground, he would at once have observed the mining operations going on and brought up the question of conflicting interests at once to the notice of Government. This was the first opportunity.

4. In order to [illegible] the two departments then commenced. The Mineral Department brought to notice the interference with the [illegible] held by the Revenue Department, by the mining lessee, the Revenue Department gave notice to the latter to [illegible] desist from carrying on any work. The lessee on the other hand replied that the Government had granted a mining lease and that the notice of the Revenue Department was invalid. All this took place in March and April 1918. Eventually the Deputy Commissioner wrote to the Director, Department of Geology, that the area under the condition [illegible] should be excluded from the mining lease [illegible] to have [illegible] for compensation before the revolution officer. The Director, Public Works, wrote to the Revenue Department, asking whether another site could not be chosen for the hospital. [illegible] Government apparently decided to permit the action taken by it and there was no attempt to meet the views of the revolution [illegible] to decline to recommend [illegible] in April time the lessee [illegible] site on the Revenue hospital [illegible] and [illegible] had been [illegible] taken prompt action as soon as the conflicting claims were brought to their notice, a postponement, [illegible] the laying of the foundation stone, could have been arranged and the end of the matter would have become undoubtedly easier to [illegible] adequate consideration. This was not done. This is [illegible] from [illegible].

5. Government are aware that the rules for information being furnished by the Geological Department to the Revenue Department, as areas included under licences and leases are somewhat indefinite at present, but [illegible] much trouble and complicatio

complication would have been avoided if prompt action had been taken at various stages when the error came to notice and if the procedure prescribed by rules for the acquisition of land had been closely and carefully followed. They consider the omissions and irregularities in the Revenue Department referred to above very unsatisfactory and direct that the explanation of the officers concerned for these omissions and irregularities may be obtained and submitted forthwith for orders. The question of framing special rules to ensure that when any prospecting licenses or mining leases are granted definite information in regard to survey Nos. mxxxx included in the block with which plan is furnished to the Revenue Department is under the consideration of Government and separate orders will issue in the matter.

Sd/ A.Venkatesa Iyengar,
For Chief Sect. to Govt.

Office of the Revenue Commissioner at Mysore,
Dated, Bangalore, the 9th/10th May 1919.

M e m o.

Copy of the above is forwarded with compliments to the Deputy Commissioner, Mysore District, with the request that he will be so good as to obtain and submit ~~xx~~ within a fortnight the explanation of the Revenue Officers concerned as required in paragraph 5 of the Government Order.

SD/ A.K.Syed Tej Pecrm,
For Revenue Commissioner.

J/3008

Office of the Deputy Commissioner, Mysore District,
Dated Mysore, 19th May 1919.

Roc 5257
17-18 Rev
20

M e m o.

Copies of the above are forwarded to Mr. REGO Amildar of Krishnarajpet taluk

Krishnarajpet taluk for submitting his explanation within a week.

V. Vedanyasachary
For Deputy Commissioner,
Mysore District.

NO. 5
Encls Form.

1917 నవంబర్ 17వ తేదీన రాత్రి 10 గంటలకు ఆ ప్రాంతంలో ఒక్కసారిగా

ఆకాశం చీకటి మబ్బులతో కమ్ముకొని భయంకరమైన

ఉరుములతో 19.11 అనంతరం రాత్రి 12 గంటలకు ఈ వర్షం ప్రారంభమై

మరుసటి రోజు ఉదయం 8 గంటల వరకు ఎడతెరిపి లేకుండా

ధారాపాతంగా వర్షం కురిసింది. ఆకాశంలో మేఘాలు

ఇంకా ఉన్నాయి. ఇప్పుడప్పుడు వర్షం పడుతూనే ఉంది.

ఈ వర్షం వల్ల ఆ ప్రాంతంలో ఉన్న చెరువులు

ఉప్పొంగి ప్రవహించాయి. ఈ వర్షం వల్ల ఆ ప్రాంతంలో

ఉన్న పంటలకు ఎంతో మేలు కలిగింది. ఈ వర్షం

వల్ల ఆ ప్రాంతంలో ఉన్న రైతులు ఎంతో సంతోషించారు.

ఈ వర్షం వల్ల ఆ ప్రాంతంలో ఉన్న ప్రజలు ఎంతో

ఆనందించారు.

ఇలా ఈ వర్షం వల్ల ఆ ప్రాంతంలో ఉన్న ప్రజలు

కొంత ఇబ్బంది పడ్డారు. ఈ వర్షం వల్ల ఆ ప్రాంతంలో

ఉన్న చెరువులు ఉప్పొంగి ప్రవహించడం వల్ల

2-1-18వ తేదీ నుండి 6వ తేదీ వరకు 3 రోజులపాటు

ఆగకుండా ఈ వర్షం కురిసింది. ఈ వర్షం వల్ల ఆ ప్రాంతంలో

ఉన్న చెరువులు ఉప్పొంగి ప్రవహించడం వల్ల 3-1-18వ తేదీ నుండి

ఆ ప్రాంతంలో ఉన్న ప్రజలు ఇబ్బంది పడ్డారు. ఈ వర్షం

వల్ల ఆ ప్రాంతంలో ఉన్న పంటలకు ఎంతో మేలు కలిగింది.

ఈ వర్షం వల్ల ఆ ప్రాంతంలో ఉన్న రైతులు ఎంతో

సంతోషించారు. ఈ వర్షం వల్ల ఆ ప్రాంతంలో ఉన్న

ప్రజలు ఎంతో ఆనందించారు. ఈ వర్షం వల్ల ఆ

ప్రాంతంలో ఉన్న చెరువులు ఉప్పొంగి ప్రవహించడం

వల్ల 12-1-18వ తేదీ నుండి 16వ తేదీ వరకు

ఆ ప్రాంతంలో ఉన్న ప్రజలు ఇబ్బంది పడ్డారు.

GOVERNMENT OF HIS HIGHNESS THE MAHARAJA OF MYSORE

GENERAL AND REVENUE SECRETARIAT

Bangalore, Dated 30-9-19

No. C.G. 128/Genl 95-8 10 / enclosures 3 files

From

C. S. BALASUNDARAM IYER, Esq., B.A.,
Chief Secretary to the Government of His Highness the Maharaja of Mysore.

To

K. Chandi, Esq., B.A.,
Revenue Commissioner in Mysore.

Sir,

With reference to your letter No.C.4502 dated 22nd August 1919 submitting the explanations of Messrs Royalu Chetty and L.S. Rego in regard to certain irregularities noticed in connection with the acquisition of lands required for the Tuberculosis Hospital at Mysore, I am directed to state that it seems from the papers forward with your letter that Mr. V. Gopala Rao was the Amildar of Mysore Taluk at the time when the declaration statement was submitted, and to request that the explanation of that officer as to why the fact, that a prospecting license was in operation over the area comprised in the site selected for the Hospital at the time, was not indicated in the report or the declaration statement submitted by him, may be obtained and submitted to Government at an early date. The files of papers received with your letter are herewith returned for reference and retransmission with your reply.

I have the honor to be,
Sir,
Your most obedient servant,

29/9

Chief Secretary to Government

28/9

Two copies

G. h. S. VI—G/32]

SUBJECT.....

.....

.....

Diary No. of letter replied to.....

Section Gese
File No. 95-18
Serial No. 10

GENERAL AND REVENUE SECRETARIAT,
( )
, *the* 191 .

Date of issue.....20-9-19.....

Signed by.....Mr. M. V. Iyengar.....

To

C.G. No. 128 / Case filed

The Revenue Commissioner in Mysore

Sir,

With reference to your letter no C. 4502 dt 22-8-1919 submitting the explanations of Messrs Royalu chetty & L.S. Rego in regard to certain irregularities noticed in connection with the acquisition of lands required for the Tuberculosis Hospital at Mysore, I am directed to state (that it seems from the papers furnished with your letter that Dr V. Gopala Rao was the Amildar of Mysore Taluk at the time when the declaration statement was submitted & to request that the explanation of that officer as to why the

P.T.O.

2/9/19

not indicated
was made in the report or the
Declaration Statement submitted by him
the fact that a prospecting boring
coal in operation over the area comprised
at the time
the site selected for the Hospital Maps
obtained & submitted to Govt at an early date
The files of papers received with your letter
are herewith returned for reference &
retransmission with your reply.

Thanks

Yours
Sd/-
Working Draughtsman.

Sd/- [illegible]

List of enclosure

Copied by

Examined by

WD 86—GPB—60,000—15-11-16

OFFICE OF THE REVENUE COMMISSIONER
IN MYSORE.

C No. 4522 f/18-19 Bangalore, 24th December 1919.
29

FROM

The *Revenue Commissioner in Mysore.*

To

Chief
The Secretary to the Government of
His Highness the Maharaja of Mysore,
~~Department.~~

SIR,

Adverting to correspondence ending with your letter No.C.G. 128/Geol. 95-18-9 dated 30th September 1919, calling for the explanation of Mr.V.Gopala Rao, the then Amildar of the Mysore Taluk for certain omissions in connection with the acquisition of lands required for the Tuberculosis Hospital at Mysore, I have the honor to forward herewith the explanation of the above Officer in the matter, received from the Deputy Commissioner of Mysore with his letter No.R.O.C.5257/Rev.17-18 dated 12th December 1919. I beg leave to suggest that a clause may be added in Prospecting licenses that no compensation is payable in the case of acquisition of the lands comprised in the license being acquired for a public purpose: such a clause will hereafter protect the interests of Government and is not likely to retard the ardour of prospectors.

2. The enclosures received with your letter are herewith returned.

I have the honor to be,
Sir,
Your most obedient servant,

Senior Assistant Commissioner in charge,
Revenue Commissioner's office.

RTR.

DIARY NO. 11360

R. C. 4.

19 -19

From

The *Revenue Commissioner in Mysore.*

To

The Secretary to the Government of
H. H. the Maharaja of Mysore,

Dated 24th December 1919.

Despatched 29.12.1919

Received

General No. 45028

Enclosure No.

SUBJECT.

Forwarding the explanation of Mr.V.Gopala Rao, for certain omissions in connection with the acquisition of lands required for the Tuberculosis Hospital at Mysore.

h5
2/1/20

SECRETARIAT.
IV
MINOR Events.
2 JAN 1920

Letter No: 2314 dated 12th November 1919 from the Assistant Magistrate Sagar, to the Deputy Commissioner, Shimoga Secret

With reference to your No: O.C. 1185/19/20 Rev dated 3rd November forwarding 3 files and copy of letter No: 5257 Rev: 17-18 dated 21st October 1919 from the Deputy Commissioner Mysore, calling for my explanation as to why in the declaration statement I furnished in September 1917 of the lands taken up for Tuberculosis Hospital Tyrore while Sirdar Amildar of the Tyrore Taluk I did not note the circumstance of a prospecting license having been issued over the area, I beg to state as follows:

2 I was in charge of the Tyrore Taluk from the 15th February 1917 to 18th September 1917 (inclusive). In this, can all that I have done is to get the declaration statements prepared. The Palace D.P.W. officer took the Sheikdar, noted the numbers required for Tuberculosis Hospital and wrote to the Deputy Commissioner for the acquisition of those lands. Thereupon the Deputy Commissioner called upon me as Amildar of the Tyrore Taluk to furnish declaration Statements for the above numbers and I complied. On doing so, I had no possible means of knowing that the land was covered by a prospecting license for the following reasons:

(1) The prospecting license

Why did you not go inspect the lands which is not outside the Mal. limits of Mysore City? This was known to you Rly

to specify Survey numbers over which it extends
any line of demarcation drawn on the land to
indicate them. As it is only for prospecting, which involves
transfer of existing rights or occupancy, no entry was
made in the Khatawar maintained in the Taluk which is the
duty inter to indicate any such rights nor was any entry
in the Khatawar possible since the Survey numbers were
not shown in the license. To add to this, in this particular
case, it was not in charge of the Taluk when intimation
the prospecting license was received as stock charge
the Taluk on the 13th February 1917 and intimation of the
case had been received and the necessary done prior to it.
(2) The declaration statement is prepared under Section 6 of
the Land Acquisition Regulation only for declaring that the
land, a detailed description of which is given in it is
required for a public purpose, and is not meant to show
the existing rights or encumbrances over the land and much
less the permission granted for prospecting, as could be
seen from a perusal of the above Section. The absence
of any column in the prescribed form of the D Statement
to show the existence of such rights, indicates also
that such information is not wanted in the Statements
the object of the publication of the Statement in the
Official

This is
quibbling on
form pole
Ed.

Official Gazette under the same Section seems to be only to apprise persons having rights over the land the intention of Government to acquire the land. It is when proceedings under Section 9 of the Regulation are taken that the question of taking possession of the land and of the rights and interests existing over the same comes in. When such proceedings were taken I had given up charge of the Taluk. Under the circumstances I beg to state that I have not committed any wilful or avoidable omission.

3. The non specification of the Survey numbers over which prospecting licenses are issued has caused other difficulties also when I was Amildar e.g. in finding out whether any work that was being carried on was within or without the area included in the licenses. Again if it be directed that the declaration state-ment should indicate such rights, it seems necessary that entries should be ordered to be made in the Khatwar even in the case of prospecting licenses which is not now done and that an additional column should be ordered to be opened in the Khatwar in which the same could

entered

I beg to return herewith the three files

together with the copy of the letters from the

Deputy Commissioner Sagar, received with the docket

sent reply

(Sgd) V. Gopal Rao
Special II class Magis
Sagar

"Copy"

Deputy Commissioner
Shimoga District

Proceedings of the Government of H.H. the Maharaja of Mysore.

*****

Read:-

G.O.No.G.25364-5/Geol.95-18-5 dated 8th May 1919 passing orders in the matter of the claim of Mr. V. Manickavelu Mudalia for compensation in respect of certain land comprised in a Prospecting License granted to his son Mr. V. Sundaramurti Mudaliar in the Mysore Taluk, which were acquired by Government under the Land Acquisition Regulation for the construction of a Tuberculos Hospital at Mysore and calling for the explanations of the officers of the Revenue Department concerned for certain irregularities committed by them in the course of the acquisition proceedings.

2. Letter No.C.4502 dated 20/22nd August 1919 from the Revenue Commissioner in Mysore, forwarding, with his opinion, the explanations of Mr. Rayalu Chetty, who was then in charge of the Mysore Sub Division and of Mr. L.S.Rego, who was Amildar of the Mysore Taluk at the time.

3. Correspondence ending with letter No. C.4502 dated 24/29th December 1919 from the same officer forwarding, with his opinion, the explanation of Mr. V.Gopal Rao, who was Amildar of Mysore Taluk when the declaration statements in respect of the acquisition proceedings were prepared.

***** G 23620-2 Geol 14-4-20

Order No. ~~G23620-12 Reforms~~

The officers of the Revenue Department who were mainly responsible for the mistake of creating rival interests in this case, were Messrs. V. Gopala Rao and

and L.S. Rego, who were Amildars of t... Mysore Taluk at the time but are now holding the position of Special Magistrate, Tarikere and Amildar Krishnarajpet respectively and Mr. T. Rayalu Chetty, who was Sub Division officer of Mysore at that time, but has since retired from the service.

2. Of these, Mr. Gopala Rao was responsible for the omission to bring to notice the existence of prospecting rights over the land in the initial stage. The explanation offered by him is quite unacceptable. He admits that he was responsible for preparing the declaration statement under the Land Acquisition Regulation.

4. A copy of the prospecting license issued with an extract from the topo map was filed in the Taluk office and even though the survey numbers were not given, it was possible to locate roughly the area included in the license, when it would have been clear that the site of the hospital was so included. In important cases of this nature, it is the Revenue Officer's duty to make a local inspection before he submits the draft declaration. This omission to do so prevented the rectification of a mistake at the earlier stages of the acquisition proceedings.

3 Similar negligence must be attributed to Mr. Rayalu Chetty and to Mr. Rego, who were responsible for actually taking possession of the land. Mr. Rayalu Chetty issued orders from camp Yedatore; Mr. Rego issued orders from his office to the Shekdar and the Shekdar took Mutchalikas from the ryots concerned. It occurred to none of them to bring

bring to notice the fact that some persons were digging on the land and taking away minerals. The delivery of possession was made as a purely routine matter on paper.

4 The explanations offered by these officers betray a great lack of sense of responsibility in them. Government therefore direct that their displeasure be communicated to Mr. Gopala Rao and Mr. Rego for the negligent manner in which they dealt with this case. Mr. Royalu Chetty has since retired from service.

5. Separate orders have issued in Government Proceedings No.G.11921-2/Geol.57-18-17 dated 27th February 1920 regarding the desirability of punishing to the Revenue Department definite information about the ~~Sy. Nos~~ Survey Numbers included in the blocks of land over which prospecting licenses or mining leases are granted.

Chief Secretary to Government.

To

The Revenue Commissioner in Mysore, with records.
The Director, Department of Geology
The Registrar, Chief Court.
copies to the Revenue Secretariat & to the Asst Director of Geology Bgtt.

CP

G.R.S. VI–71]

46

SUBJECT.

Diary No. of letter replied to.....

Section Geol
File No. 95-8
Serial No. 16

General and Revenue Secretariat

Proceedings of the Government of His Highness the Maharaja of Mysore.

, *the* *191*

Date of issue 14/4 Y

Signed by M Des

Read—

Govt order no G 25 364-5/Geol 95-8-5 & 8-5-1919 passing orders in the matter of the claim of Mr. V. Manicka velu Mudaliar for compensation in respect of certain lands comprised in a Prospect License granted to his son Mr. V. Sundaramurti Mudaliar in the Mysore Taluk, which were acquired by Govt under the Land Requisition Regulation for the construction of a Tuberculosis Hospital at Mysore and calling for the explanations of the officers of the Revenue dept concerned for certain irregularities committed by them in the course of the acquisition proceedings.

~~Order Thereon No.~~

2.) Letter no C 4502 dated 20th/21st August 1919 from the Revenue Commissioner in Mysore, forwarding, his opinion, the explanations of Mr. Rajalu Chetty, who was then in charge of the Mysore Sub division and of Mr. L. S Rego, who was the Amildar of the Mysore Taluk at the time.

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette English Part ?

iv translated ?

v placed at the disposal of the press ? P U & I

vi published in the Gazette, Kannada Part ?

3. Correspondence ending with letter no 4502 dated 24th/29th December 1919 from the same office forwarding with his opinion the explanation of Mr. V. Gopala Rao who was ~~the~~ Amildar of Mysore Taluk when the declaration statements in respect of the acquisition proceedings were prepared.

PUBTI

Order. no. - G 23620-2 Records

The officers of the Revenue dept. who were mainly responsible for the ~~Compromise~~ ~~matter in question~~ were Messrs V. Gopala Rao & L.S. Rego, who were Amildars of the Mysore Taluk at the time ~~that~~ ~~that occurred in the case~~ subsists in this case and are now holding the position of Special Magistrate, Tarikere and Amildar, Krishnarajpet respectively and Mr. P. Rajalu chetty, who was Sub division officer of Mysore at the time, but has since ~~been~~ retired from the service.

2. Of these, Mr. Gopala Rao was responsible for the omission to bring to notice the existence of prospecting rights over the land in the initial stage. The explanation offered by him is quite unacceptable. He admits that he was responsible for preparing the declaration Statement under the Land Requisition Regulation. If he had only taken the trouble to visit the locality, he could not possibly have overlooked the fact that mineral exploitation was going on in the area & he could have easily ascertained ~~from the workmen there~~ ~~as~~ to who was responsible for the operations & the ~~as~~ A copy of the prospecting license issued with an extract from the topo map was filed in the Taluk office and even

List of enclosures.

Copied by

Examined by

G. R. S. 27]

GENERAL AND REVENUE SECRETARIAT.

(*Continuation sheet draft form.*)

In enforcing upon the nature the Rs. 1000 only to make a local inspn before he submits the draft declaration. This omission indeed prevented the rectification of a mistake which endangers the acq proceedings.

though the survey numbers were not given, it was possible to ~~[illegible]~~ locate the roughly the area ~~was roughly~~ included in the licence, when it would have been clear that the site of the hospital was to included. This was the initial stage in the acquisition proceedings and if the probability of complication had been brought to notice, it would have been easy to select another suitable site for the hospital. In an important case of land acquisition of this nature, it must be expected that the Assistant as a responsible officer should at least inspect the land when starting the proceedings. No amount of elaborate rules ~~precautions~~ can ~~will~~ prevent mistakes, if responsible officers do not bring to bear on the discharge of their duties, a certain amount of ordinary common sense.

3. Similar negligence must be attributed to Mr. Royale chetty & to Mr. Rego, who were responsible

GPB—12,000—15-2-13.

for actually taking possession of the land. Mr. Rajalu Chetty issued orders from 'camp Yadatore', Mr. Rego issued orders from his office to the Shekdars and the Shekdars took Muchalikas from the ryots concerned. It occurred to none of them to bring to notice the fact that some persons were digging on the land & taking away minerals ~~no one was paying royalty~~.

The delay of three months in Decide is a matter requiring explanation.

4. The explanations offered by these officers betray a great lack ~~an utter want~~ of the sense of responsibility in them. Govt therefore direct that their displeasure be communicated to Mr. Gopala Rao and Mr. Rego for the negligent manner in which they dealt in this case.

5. Since Mr. Rajalu Chetty has retired ~~Govt do not intend to take notice of his~~ from service, ~~no notice is called for about his part in this case.~~

6. Separate orders have issued in Govt Rgo

No Cr 1192 1-2 / Govt 57-18. 17 & 27-2-1920 regarding the desirability of furnishing to the Rev Dept definite information about the S. Nos included in the blocks of land over which prospecting licenses or mining leases are granted.

17/3/20 Chief Secretary to Govt.

The Revenue Commissioner in Mysore with records.
The Director, Dept of Geology
The Registrar, Chief Court
copies to the Revenue Secretariat & to the Accounts section of the Chief Secretariat

17/3/20